

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JULIO SANDOVAL,

Plaintiff,

v.

DIAZ, *et al.*,

Defendants.

Case No. 1:20-cv-01314-BAM (PC)

ORDER DENYING PLAINTIFF’S MOTION
FOR EXTENSION OF TIME AS MOOT

(ECF No. 10)

ORDER DENYING PLAINTIFF’S MOTION
REGARDING CONSENT/DECLINE OF U.S.
MAGISTRATE JUDGE JURISDICTION

(ECF No. 11)

Plaintiff Julio Sandoval (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action.

On September 15, 2020, the Court ordered Plaintiff to either consent to or decline Magistrate Judge jurisdiction within thirty (30) days. (ECF No. 4.) On October 2, 2020, the Court granted Plaintiff’s motion for a thirty-day extension of time to respond, and the consent or decline form is therefore due on or before November 4, 2020. (ECF No. 9.)

On October 5, 2020, Plaintiff filed two documents, titled “Court dates & time constraint” and “Consent/Decline of U.S. MAGISTRATE JUDGE JURISDICTION.” (ECF Nos. 10, 11.) The motions are addressed below.

I. Motion for Extension of Time

Plaintiff’s first filing regarding court dates and time constraints appears to be another motion for extension of time. (ECF No. 10.) Plaintiff states that he is experiencing delays in

1 receiving his legal mail, and therefore needs the Court to add 94 days to any proceeding to ensure
2 he gets enough time to respond. Plaintiff states that he also has limited access to the law library
3 due to COVID-19 restrictions. (Id.)

4 It appears that Plaintiff's motion and the Court's October 2, 2020 order have crossed in
5 the mail. However, the only outstanding deadline is the deadline for Plaintiff to complete the
6 consent or decline form for Magistrate Judge jurisdiction. As this deadline has already been
7 extended, Plaintiff's motion is now moot.

8 To the extent Plaintiff is requesting an extension of time applicable to all of his deadlines,
9 the Court declines to add additional time to all future deadlines that may arise in this action. If
10 Plaintiff continues to experience delays in receiving his mail or accessing the law library, he may
11 seek appropriate extensions of the specific deadlines that he is unable to meet. If Plaintiff
12 presents good cause to support extensions of those specific deadlines, the Court will allow
13 Plaintiff additional time.

14 **II. Motion Regarding Consent/Decline to U.S. Magistrate Judge Jurisdiction**

15 In this filing, Plaintiff presents a variety of questions to the Court, apparently relating to
16 the scope and extent of the Magistrate Judge's authority to rule on breaches of contract, criminal
17 proceedings, and other matters. (ECF No. 11.) The filing is difficult to understand, but it appears
18 that Plaintiff is asking the undersigned to agree to certain contract terms in exchange for his
19 consent to Magistrate Judge jurisdiction in this action. Plaintiff has also attached additional
20 handwritten documents that he alleges are contracts between himself and other entities or
21 individuals. (Id.)

22 The Court declines to sign or agree to any type of contract in exchange for Plaintiff's
23 consent to Magistrate Judge jurisdiction in this action. In addition, the Court does not provide
24 legal advice. If Plaintiff is unsure as to the scope of the Court's or the undersigned's jurisdiction
25 over this matter or any other type of legal action, Plaintiff is free to conduct additional research
26 before making a decision as to how to respond to the Court's order for Plaintiff to consent to or
27 decline the jurisdiction of a Magistrate Judge. As explained in that order, Plaintiff may consent to
28 have a Magistrate Judge conduct all proceedings and enter judgment in the case subject to direct

1 appellate review by the Ninth Circuit Court of Appeals. If Plaintiff does not wish for a
2 Magistrate Judge to conduct all proceedings and enter judgment in the case, a Magistrate Judge
3 will perform only those duties as required by Eastern District Local Rule 302. Plaintiff may
4 withhold his consent without any negative substantive consequences, if he so chooses.

5 Once Plaintiff has made his decision, Plaintiff should complete the form by checking one
6 box indicating whether he consents or declines the jurisdiction of a Magistrate Judge, and sign
7 and date underneath his choice.

8 **III. Order**

9 Accordingly, IT IS HEREBY ORDERED that;

- 10 1. Plaintiff's motion for extension of time, (ECF No. 10), is DENIED as moot
11 2. Plaintiff's motion regarding consent/decline of U.S. Magistrate Judge jurisdiction,
12 (ECF No. 11), is DENIED; and
13 3. Plaintiff's consent or decline form remains due on or before **November 4, 2020**.

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15 IT IS SO ORDERED.

16 Dated: **October 8, 2020**

17 /s/ *Barbara A. McAuliffe*
18 UNITED STATES MAGISTRATE JUDGE
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